

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CARMEN BULA

Plaintiff,

-v.-

Civil Action No.
6:06-cv-1325 (GLS/GJD)

COMMISSIONER OF SOCIAL SECURITY

Defendant.

APPEARANCES:

FOR THE PLAINTIFF:

Empire Justice Center
119 Washington Avenue
2nd Floor
Albany, New York 12210

LOUISE MARIE TARANTINO, ESQ.

FOR THE DEFENDANT:

Social Security Administration
Office of Regional General
Counsel Region II
26 Federal Plaza - Room 3904
New York, New York 10278

SUSAN J. REISS, ESQ.

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Chief Magistrate Judge Gustave J. DiBianco, duly filed February 24, 2009. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

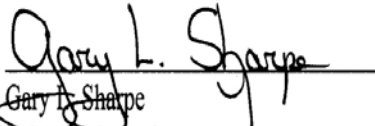
No objections having been filed, and the court having reviewed the Chief Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Chief Magistrate Judge Gustave J. DiBianco filed February 24, 2009 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that the decision of the Commissioner is REVERSED and this case is REMANDED pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with this order.

IT IS SO ORDERED

Dated: March 30, 2009
Albany, New York


Gary L. Sharpe
U.S. District Judge